

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF TEXAS

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Demarcus Dewayne Elam

Case Number: 1:20CR00092-1
XXXXXXXXXXXXXXXXXXXX
Receiving Crt No: 4:24cr114

Name of Sentencing Judicial Officer: U.S. District Judge Marcia A. Crone

Date of Original Sentence: August 24, 2021

Beaumont Mag. No: 1:24mj40

Original Offense: Receipt of a Firearm While Under Indictment

Original Sentence: 24 months imprisonment followed by a 3-year term of supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: July 12, 2022

Expiration Date: July 11, 2025

Assistant U.S. Attorney: Matthew Carl Quinn

Defense Attorney: Gary R. Bonneaux

PETITIONING THE COURT

TO ISSUE A WARRANT

CONDITION

NATURE OF NONCOMPLIANCE

Allegation 1

Mandatory Condition

1: You must not commit another federal, state, or local crime.

According to Mr. Elam's supervising probation officer in the Southern District of Texas, Gregory Brown, on November 7, 2023, in Houston, Harris County, Texas, a To Be Warrant was issued for Demarcus Dewayne Elam for the felony offense of Theft >=2,500 <30,000. The case is assigned Cause Number 184320701010-3, in the 232nd District Court, Harris County, Texas. Mr. Elam is pending arrest and his current whereabouts are unknown. As such, no further information on a court date is available.

According to the charging document, Demarcus Dewayne Elam, did then and there unlawfully, appropriate, by acquiring and otherwise exercising control over property, namely, cash money owned by the complainant, of the value of at least two thousand five hundred dollars and less than thirty

thousand dollars with the intent to deprive the complainant of the property. The Affiant began the investigation by speaking with the complainant to verify her statement and information. The complainant confirmed she mailed checks for payment to vendors. A check for \$20,056.00 was intercepted and altered to be paid to a Demarcus Elam, a person the complainant does not know. The stolen check was deposited into an account opened in person on 03/23/2023, and listed Demarcus Elam as the sole owner. The Affiant ran this information through law enforcement databases and confirmed this information to be correct. The check was found to be fraudulent by the bank, prior to any funds being taken.

While further reviewing Mr. Elam's bank statements, Affiant located another large deposit of a cashier's check, at an ATM, in the amount of \$10,500.00 on 05/11/2023. The deposit was out of the ordinary based on the other transactions and deposit history on the account. It was determined the complainant intended for that cashier's check to be cashed by a different recipient, not Demarcus Elam. Affiant observed numerous Apple Cash and Cash App transactions made on the account, prior to and after the deposit of the stolen cashier's check. Additionally, the Affiant noted the next transaction after the deposit of the \$10,500.00 cashier's check was a withdrawal of \$9,000.00 on 05/20/2023, followed by a \$1,500.00 transfer out of the account via Apple Cash. The Affiant was also able to locate matching transactions between Mr. Elam's bank account and Cash App transactions history. Based on the information gathered, the Affiant believes Mr. Elam, did commit the felony offense of Theft in the city limits of Houston, Harris County, Texas.

Allegation 2

Standard Condition

2: After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and

According to U.S. Probation Officer Gregory Brown, on January 18, 2024, Demarcus Dewayne Elam failed to report to the U.S. Probation Office in

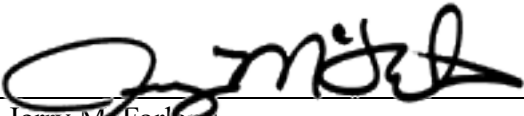
when you must report to the probation officer, and you must report to the probation officer as instructed.

Houston, Texas as instructed. Mr. Elam last reported on November 2, 2023 and his whereabouts are currently unknown.

U.S. Probation Officer Recommendation and Justification:

Mr. Elam has made it clear through his criminal conduct and failure to report that he has no intentions of complying with his conditions of supervised release. Therefore, it is respectfully recommended the Court issue a warrant for Demarcus Dewayne Elam to appear in court and show cause why his supervision should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct.



Jerry McFarland
Senior U.S. Probation Officer
(409)813-8261

Reviewed and approved:

 for

Hunter Eppes, Supervising
U.S. Probation Officer

Executed on Date: February 15, 2024